

Remarks

Reconsideration of this Application is respectfully requested. Upon entry of the foregoing Amendment to the Claims, claims 1-11, 13-29, and 31-36 are pending in the application, of which claims 1, 10, 17, 23, 26, and 29 are independent. By the foregoing Amendment, claims 17, 23, and 33-35 are sought to be amended. No new matter is embraced by this amendment and its entry is respectfully requested. Based on the above Amendment and the remarks set forth below, it is respectfully requested that the Examiner reconsider and withdraw all outstanding objections and rejections.

Claim Objections

The Examiner, on page 2 of the Office Action, states that claims 12 and 32 are objected to because they used improper status identifiers of "Previously Cancelled" and "Previously Added," respectively. Applicant has changed the status identifier of "Previously Cancelled" to "Cancelled" for claim 12. Applicant has also changed the status identifier of "Previously Added" to "Original" for claim 32. Applicant respectfully requests that the Examiner review the current status identifiers for claims 12 and 32, and withdraw the objection of claims 12 and 32.

Rejection under 35 U.S.C. § 112, second para.

The Examiner, on page 2 of the Office Action, has rejected claims 17, 23, and 33-35 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Specifically, the Examiner states that the term "around" recited in claims 17, 23, and 33-

35 is a relative term which renders the claim indefinite. Applicant respectfully disagrees. However, to expedite the process, Applicant has amended claims 17, 23, and 33-35 to overcome this rejection. Applicant respectfully requests that the Examiner review amended claims 17, 23, and 33-35, and withdraw this rejection.

Rejection under 35 U.S.C. § 103

The Examiner, on page 3 of the Office Action, has rejected claims 1-11, 13-29, and 31-36 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,572,649 to Elliott *et al.* (hereinafter “Elliott”) in view of Microsoft’s “Microsoft Word 2000”, dated 12/31/99, pp. 1-15 (hereinafter “Word 2000”). Applicant respectfully traverses this rejection. Based on the remarks set forth below, Applicant respectfully requests that this rejection be reconsidered and withdrawn.

To establish a *prima facie* case of obviousness, there must be some suggestion or motivation, either in the references themselves or in the knowledge available to one of skill in the art, to combine the references. *MPEP* 2143. The teaching or suggestion to make the claimed combination must be found in the prior art, not in Applicant’s disclosure. *MPEP* 2143 (*citing In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)).

Applicant respectfully asserts that the Examiner has failed to establish a *prima facie* case of obviousness because the references cited by the Examiner, Elliot and Word 2000, do not suggest the combination or motivate one skilled in the art to combine them. As indicated, the teachings or suggestions to combine must be found in Elliot and Word 2000, not in Applicant’s patent application.

Elliott teaches a process for dynamically switching between a single top level window and multiple top level windows. In fact, in Figure 6, Elliott shows the electronic conferencing application window 92 overlapping the word processing window 88 displayed on screen 85. Unlike the present invention, in which the full text of the word processing window would be viewable, Elliott does not show the full text of the word processing window. In fact, Elliott is not concerned with the portions of the text being viewable where the electronic conferencing application window 92 overlaps the word processing window 88. A similar situation is shown in FIG. 8 of Elliott, in which Elliott does not concern itself with enabling portions of text to be viewable where windows of the electronic conferencing application (95, 98, and 100) overlap the word processing window 88. Elliott teaches grouping and ungrouping of multiple windows.

Word 2000 illustrates the ability to insert pictures into a word document while still being able to view the word document. *Word 2000*, pp. 3-9. Word 2000 also illustrates the ability to view the word document when the picture is being resized. *Id.*

Applicant respectfully submits that the Examiner has combined Elliott and Word 2000 based on Applicant's application disclosure. The Examiner's primary reference is Elliott. The Examiner admits, on page 4 of the Office Action, that "Elliott does not teach wherein the text and the video in the display window were both able to be positioned to be both viewable without obstruction." The Examiner then states that Word 2000 teaches this feature. Applicant respectfully asserts that nothing in Elliott suggests that the text and video in the display window need to be positioned so that both are viewable without obstruction. Also, nothing in Word 2000 suggests that this feature needs to be combined with the teachings of Elliott as well.

Thus, for at least the above stated reasons, Applicant strongly asserts that there is no motivation to modify Elliott with the teachings of Word 2000. Therefore, the Examiner has failed to establish a *prima facie* case of obviousness. Thus, claims 1-11, 13-29, and 31-36 are patentable over Elliott and Word 2000. Applicant therefore respectfully requests that the Examiner reconsider and withdraw the rejection of independent claims 1-11, 13-29, and 31-36.

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Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all currently outstanding objections and rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Response is respectfully requested.



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Respectfully submitted,

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Date